

RECEIVED
CENTRAL FAX CENTER

OCT 30 2006

Remarks/Arguments

Claims 1-15 have been examined in the Office Action mailed August 18, 2006.

Applicant has amended claims 1, 2, and 12. Applicant has added claims 16-19, and has not cancelled any claims. Accordingly, claims 1-19 are presented for consideration in light of the remarks below, with claims 1 and 16 being independent.

Support for the amendments to claim 1 can be found in Applicant's specification throughout the specification, including, for example, at page 10, line 13 - page 12, line 32; at page 7, line 41 - page 8, line 7; and at page 6, lines 12-16. These amendments are made for the purposes of providing additional clarity and thereby expediting prosecution.

Claim 1 stands objected to for informalities. Applicant submits that the present amendments overcome the objection.

Claims 1-2, 4-6, 10-11, and 13-15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Young (5,479,268). Each of the rejected claims depends from claim 1 and, accordingly, Applicant's response to this rejection focuses on claim 1. Applicant traverses the rejection for at least the following four reasons.

First, the applied portions of Young do not disclose or suggest, at least the following recitation from claim 1 (emphasis added):

a tuner operable by the processor to receive (1) for the first program, first current time reference information from a first corresponding program source,
wherein the first current time reference information provides information for synchronizing a scheduling clock with a clock of the first corresponding program source

Rather, the applied portions of Young describe receiving scheduled broadcast times and comparing the scheduled broadcast times to a system clock to determine when to record a program (see, for example, Young at col. 13, lines 17-21, to which the Office Action directs Applicant). The system clock of Young is not described as being synchronized with another clock, much less with a clock of a program source. Thus, the applied portions of Young do not describe receiving any reference information, from a program source or otherwise, "for synchronizing a scheduling clock with a clock of the first corresponding program source" (claim 1).

Second, the applied portions of Young do not disclose or suggest, at least (claim 1, emphasis added):

a tuner operable by the processor to receive ... (2) for the second program, second current time reference information from a second corresponding program source, wherein the second current time reference information provides information for synchronizing a scheduling clock with a clock of the second corresponding program source;

As explained above, the applied portions of Young do not describe receiving any reference information, from a program source or otherwise, "for synchronizing a scheduling clock with a clock of [a] corresponding program source" (claim 1). Because such synchronization with a first program source is not described, it follows that such synchronization with "a clock of the second corresponding program source" (claim 1, emphasis added) is not described.

Third, the applied portions of Young do not disclose or suggest, at least (claim 1, emphasis added):

the processor programmed to derive a first scheduling clock based on the first current time reference information, the first scheduling clock synchronized with the clock of the first corresponding program source

Rather, as explained above, the applied portions of Young describe receiving scheduled broadcast times and comparing the scheduled broadcast times to a system clock to determine when to record a program. The broadcast times are not a clock, much less a scheduling clock. Even if the system clock is considered to be a scheduling clock (which we do not concede), the system clock is not described as being "based on the first current time reference information", as recited in claim 1. Further, the system clock is independent of any clock at a program source, and thus is not "synchronized with the clock of the first corresponding program source" (claim 1 emphasis added).

Fourth, the applied portions of Young do not disclose or suggest, at least (claim 1, emphasis added):

the processor programmed to derive a second scheduling clock based on the second current time reference information, the second scheduling clock synchronized with the clock of the second corresponding program source

As explained above, the applied portions of Young do not describe deriving a "first scheduling clock ... synchronized with the clock of the first corresponding program

source" (claim 1). Because a scheduling clock synchronized with a clock of a first program source is not described, it follows that a "second scheduling clock synchronized with a clock of the second corresponding program source" (claim 1, emphasis added) is not described.

Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Young in view of Roop (5,619,274). Roop is applied for an alleged disclosure of filtering discontinuities. Thus, Roop is not applied to cure the deficiencies of Young described above with respect to claim 1. Further, Roop relates to a system in which subscriber units 52 (e.g. individual users) receive current time information from a single source, and the applied portions of Roop do not cure the deficiencies of Young. Accordingly, because claim 3 depends from claim 1, claim 3 is patentable for at least the reasons discussed above with respect to claim 1.

Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Young in view of the ATSC document and further in view of Landis (5,561,461). The ATSC document is applied for an alleged disclosure related to a System Time Table and an Event Information Table. Landis is applied for an alleged disclosure related to a time correction command. Thus, neither the ATSC document nor Landis is applied to cure the deficiencies of Young described above with respect to claim 1. Accordingly, because claim 7 ultimately depends from claim 1, claim 7 is patentable for at least the reasons discussed above with respect to claim 1.

Claim 12 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Young in view of the ATSC document. The ATSC document is applied for an alleged disclosure related to a System Time Table and an Event Information Table. Thus, the ATSC document is not applied to cure the deficiencies of Young described above with respect to claim 1. Accordingly, because claim 12 ultimately depends from claim 1, claim 12 is patentable for at least the reasons discussed above with respect to claim 1.

Claims 8-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Young in view of Usui (5,808,694). For support for these rejections, the Office Action directs Applicant in particular to col. 5, lines 45-51; col. 17, lines 8-22; and col. 17, line 60 - col. 18, line 5 (Office Action at pages 10-11). Applicant traverses these rejections for at least the reasons that the applied portions of Usui fail to disclose or suggest, at least, the recitations of claim 1 (claims 8 and 9 ultimately depend from claim 1).

In particular, the applied portions of Usui, just as with the applied portions of Young, do not disclose or suggest, at least (claim 1, emphasis added):

a tuner operable by the processor to receive (1) for the first program, first current time reference information from a first corresponding program source, wherein the first current time reference information provides information for synchronizing a scheduling clock with a clock of the first corresponding program source

or

a tuner operable by the processor to receive ... (2) for the second program, second current time reference information from a second corresponding program source, wherein the second current time reference information provides information for synchronizing a scheduling clock with a clock of the second corresponding program source;

Rather, the applied portions of Usui, just as with the applied portions of Young, describe a system that provides broadcast times. This is expressly indicated in Usui which states that the EPG information may include "a broadcasting time" (line 50). Further, column 5, lines 45-51 describes that that the EPG information provides a schedule of programs, and the schedule includes programs that are presently available or that will be available over a period of time extending "several tens of hours later" (line 48). This is a standard schedule format, providing expected broadcast times for upcoming programs, and does not include "information for synchronizing a scheduling clock with a clock of the ... corresponding program source" (claim 1).

Additionally, column 17, lines 8-22, and column 17, line 60 - column 18, line 5 have no suggestion of "synchronizing a scheduling clock with a clock of the ... corresponding program source" (claim 1). In particular, column 17, line 60 - column 18, line 5 specifically states that "the broadcasting time of a program" is transmitted (lines 60-61; see also lines 66-67), and focuses on describing that the display of the broadcasting times is adjusted for time zone changes. However, adjusting the display of a broadcasting time based on the relevant time zone in no way provides "information for synchronizing a scheduling clock with a clock of the ... corresponding program source" (claim 1, emphasis added).

Because the applied portions of Usui do not disclose or suggest receiving "information for synchronizing a scheduling clock with a clock of the ... corresponding program source" (claim 1), it is not surprising that the applied portions of Usui do not disclose or suggest at least (claim 1, emphasis added):

the processor programmed to derive a first scheduling clock based on the first current time reference information, the first scheduling clock synchronized with the clock of the first corresponding program source

or

the processor programmed to derive a second scheduling clock based on the second current time reference information, the second scheduling clock synchronized with the clock of the second corresponding program source

Rather, as explained above, the applied portions of Usui describe providing a standard schedule of broadcast times and adjusting the display of the broadcast times based on time zones. The broadcast times are not a clock, much less a "scheduling clock" (claim 1). Even if the applied portions of Usui did describe deriving a scheduling clock (which we do not concede), there is no suggestion that such a scheduling clock would be "based on the ... current time reference information" or "synchronized with the clock of the ... corresponding program source", as recited in claim 1.

Applicant has added new claims 16-19, and support for these claims can be found throughout the specification and in the originally filed claims which included a method claim. New claims 16-19 include recitations that are similar to some of the recitations found in independent claim 1. For example, claim 16 recites:

receiving, by a tuner, (1) a first current time reference information from the first program source, wherein the first current time reference information provides information for synchronizing a scheduling clock with a clock of the first program source

Accordingly, for at least the corresponding reasons discussed above with respect to claim 1, claims 16-19 are patentable over the applied references.

For the sake of brevity, Applicant has not repeated the arguments from the earlier responses, but does hereby incorporate them by reference for all purposes.

For at least the reasons given above, Applicant respectfully submits that claims 1-

OCT 30 2006 14:30 FR THOMSON LICENSING 609 734 6888 TO 8,15712738300,53 P.13
Serial No. 09/190,309
Internal Docket No. RCA89041

Customer No. 24498

RECEIVED
CENTRAL FAX CENTER

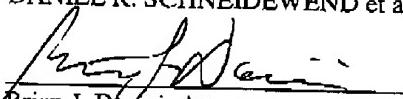
19 are patentable over the applied references and requests allowance of claims 1-19.

OCT 30 2006

No fees are believed to be due. However, please charge any fees that may be associated with the filing of these documents, and credit any overpayment, to Deposit Account No. 07-0832.

Respectfully submitted,

DANIEL R. SCHNEIDEWEND et al.

By: 
Brian J. Derini, Attorney
Reg. No. 43,594
Phone (609) 734-6817

Date Oct 30, 2006

Patent Operations
Thomson Licensing Inc.
P.O. Box 5312
Princeton, New Jersey 08543-5312